

Board of Mayor and Aldermen
Regular Meeting, Nolensville Elementary School
Thursday, March 3, 2005, 7:00 p.m.

Mayor Charles Knapper opened the meeting at 7:02 p.m. Members present were Mayor Knapper, Aldermen Jimmy Alexander, Joe Curtsinger, Tommy Dugger, and Larry Felts. Counsel Robert Notestine, Town Engineer Rich Woodroof and Recorder Cindy Lancaster. There were 26 citizens present.

Alderman Dugger led the prayer and pledge.

Mayor Knapper read the rules for the meeting. He then asked if there were any citizens that had comments.

Dr. James Clark, 900 Oldham Drive, stated his concern for the sprinkler ordinance amendment. He noted we need to decide to keep it or not. He stated the amendment is a limited thing and the funding needs to go toward police cars and fire hall. There needs to be a good balance. Currently there are not traditional developments. The board should consider giving options to build on an acre or larger lot.

Pat Aldred, 877 Stonebrook Boulevard, noted that cancer is a killer and recently has hit Nolensville with Alderman Joe Rositano. On June 3 and 4 the Cancer Society will hold Relay for Life. She hoped the board would walk in honor of Alderman Rositano. Each walker is encouraged to get sponsors up to \$100. She further stated that luminaries would be on sale in memory of Joe.

George Bartlett, 7201 Nolensville Road property owner, stated that he had purchased the mobile home park in 1984 to supply affordable living and to make a profit. He noted that in addition to the mobile home park, he currently runs a construction company and has a storage facility at that location. He stated that he had spoke to Bill Terry and the park has not been zoned. Mr. Terry advised him to let the board go through the procedure of zoning this property. He stated that in 1996 he went to Williamson County and 2.7 acres was divided out for commercial. He noted that Judy Daniels was at the county at that time. He said that the county stated that this would be recorded, although it was not. He asked the board to please zone it commercial and not residential. He asked for the definition of ER and asked if it wouldn't be more beneficial to be Commercial. Engineer Rich Woodroof stated that ER is 1.5 acre minimum lot size and the adjacent property is zoned ER.

There was not further citizen input.

Alderman Curtsinger made a motion to approve the minutes from February 3, 2005, Alderman Alexander seconded. The minutes were approved unanimously.

Alderman Felts made a motion to approve the treasurer's report, Alderman Dugger seconded. Recorder Lancaster noted that the cash on hand for the General Fund was \$624,197.28, with cash disbursements being \$70,000. State Street Aid cash on hand was \$124,462.08 with total cash on hand being \$748,659.36. The treasurer's report was unanimously approved.

Mr. Bob Haines Planning Commission Member reported the following:

- Plan of Service for friendly annexation was approved.
- Nolen Park final plan was approved with conditions.
- Rezoning request for corner of York Road was denied.
- Overlay Commercial District was approved with conditions.
- Haley property on Nolensville Road, rezoning was approved.
- Rezoning of Nolensville Road property was approved.
- International Building Code 2003 was approved.
- OSD and PUD removal was discussed.
- Car Wash was discussed and approved.
- Monthly bond report was discussed.
- Definitions were discussed.
- Nolensville Road widening alternative B was recommended to the board.

Betty Friedlander reported for the Historic Commission:

- There will be a planning meeting to address anticipated accomplishments.
- A memo was sent for Keep America Beautiful. The board needs to set this date.

Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Budget has been submitted.
- Pumper truck to be delivered the second week in May.
- District 5 had large conference for Homeland Security.
- The department will begin a “live-in” program at the fire hall.
- Have not heard from FEMA grant.

Mayor Knapper noted that Homeland Security would disburse funding to pay Volunteer Firemen. This will be reviewed more thoroughly.

Rich Woodroof, Town Engineer/Codes Official reported for the Codes Department.

- 104 inspections were performed
- 10 residential permits issued
- 42 plumbing, mechanical, burn and building permits were issued
- Ordered program for detention ponds

Chief Jeff Goforth reported for the Police Department.

- Stated a written report was submitted
- The board should expect an agenda on Hazard Mitigation – Natural Disaster
- Will participate in a Homeland Security exercise that will last 2 to 3 days
- No word on COPS grant

Mayor Knapper reported for the Public Works

- Stated a written report was submitted to the board

Mayor Knapper reported for the town hall committee.

- Noted no report at this time, some items are pending.

Mayor Knapper's report:

Mayor Knapper noted that the Capital Improvements Budget would be forthcoming.

Mayor Knapper noted that he anticipates the Major Thoroughfare Plan in the near future.

Mayor Knapper noted that Option B was recommended by the Planning Commission for the by pass around Nolensville. The Planning Commission voted with seven for and one abstention. Mayor Knapper asked for approval from the board to send a letter to the legislators in order to seek funding. Alderman Curtsinger stated that he had spoken to Klinnard Engineering and they said that all they need from us was a note. Alderman Felts made a motion to forward a letter to the state, Alderman Curtsinger seconded and this passed unanimously.

Public Hearing was opened for Ordinance #05-02 and #05-03. Counsel Notestine briefly described the ordinances and the process that the board takes to pass these ordinances. Engineer Woodroof showed a large map of the property known as the Yazdin property.

Betty Friedlander, 240 Norfolk, noted that she has encouraged people living in the Historic District to be members of this Commission. She stated that with this change to the zoning ordinance it will be easier for these individuals to participate.

Cindy Arnold, 878 Dortch Lane, stated that we have a unique opportunity for Nolensville. She personally does not want to see an Electronic Express. She thinks we can have a beautiful town and this is poor judgment to have this establishment.

With no other comment the public hearing was closed.

Second Reading of Ordinance #05-01, an ordinance to amend the sprinkler ordinance #04-02. Alderman Dugger made a motion to defer this reading for one month. He noted that clarification was needed for homes that are ten foot apart. He noted that the Mayor and he had met with Mr. Ray Crouch, MTAS Consultant. The Board and the Fire Department will discuss this further. This deferral was approved by acclamation.

First Reading of Ordinance #05-04, an ordinance to annex a certain territory adjacent to Sam Donald Road. Counsel Notestine noted that this is a "request" for annexation often referred to as a "friendly annexation". It was further noted that the Planning Commission voted seven to one for the annexation. Mayor Knapper made a motion to approve this ordinance, Alderman Alexander seconded and this passed unanimously.

First Reading of Ordinance #05-05, an ordinance adopting the 2003 Edition of the International Building Code. Counsel Notestine stated that this is being adopted throughout the state of Tennessee. Alderman Felts made a motion to pass this ordinance, Mayor Knapper seconded and this passed unanimously.

First reading of Ordinance #05-06, an ordinance to amend the zoning map. Counsel Notestine stated that this is creating a "Commercial Overlay District". Engineer Woodroof noted this overlay places more restrictions on Commercial, such as only one row of parking in front with several uses not being allowed and various other restrictions. There was extensive discussion on conditions of this overlay. Alderman Dugger asked if this could be further discussed in a workshop. Alderman Curtsinger noted that he was confused on the process. Engineer Woodroof stated that when the overlay was applied

the plan would be presented. The Planning Commission will decide how far back the overlay will be applied. Alderman Curtsinger stated that he would like to see what would be constructed prior to the zoning change. Counsel Notestine stated that this is similar to a PUD where the Planning Commission has the control. If a zone change is requested it goes the Planning Commission and they can request a site plan. Alderman Curtsinger inquired about the west side of the road and flood plain issues. There was extensive discussion in regards to this overlay. Planner Bill Terry was requested to attend the public hearing in regards to this overlay. The first reading of this ordinance was approved unanimously.

First reading of Ordinance #05-07, an ordinance to rezone property currently Office Industrial to Commercial Services. Counsel Notestine stated that this is request to rezone property that is currently known as the Haley Industrial Park. Alderman Dugger stated that this is going along concurrently with the overlay. The Planning Commission passed this with the overlay to be applied. There was extensive discussion on these ordinances and the proper procedure to obtain the overlay. Alderman Dugger stated that he would like to see this passed on first reading and then defer second reading so that the proper order would be in place. Mayor Knapper made a motion to approve this ordinance, Alderman Felts seconded and this passed unanimously.

First reading of Ordinance #05-08, an ordinance to rezone property currently Suburban Residential to Commercial Services. Counsel Notestine discussed this ordinance. Alderman Alexander stated that he wanted to make sure the overlay is in place before this is passed. Alderman Curtsinger stated his concern with the numbers in regards to the diagram that was distributed. It was noted that Planner Bill Terry would review this. Mayor Knapper made a motion to pass this on first reading, Alderman Felts seconded and this passed unanimously.

First reading on ordinance #05-09, an ordinance to zone the Mobile Home Park to Estate Residential. Counsel Notestine discussed this briefly. He noted that Mr. Bartlett's use is grand fathered and is not affected. This does not change Mr. Bartlett's current use and he could request a change. Alderman Dugger noted that the adjacent property as being commercial. Engineer Woodroof stated that the majority of that property is residential. Mr. Bartlett noted that after going through all the documentation, he has been paying commercial taxes on the property for 15 years. He stated that he could use the office himself, but could not rent it out for another use. Mayor Knapper made a motion to approve the zoning, Alderman Curtsinger seconded and this passed on first reading unanimously.

First Reading of Ordinance #05-10, an ordinance to amend the zoning ordinance. Counsel Notestine briefly described this ordinance and noted that the Planning Commission had unanimously approved this change. Alderman Curtsinger asked if the Planning Commission removed the door requirement. Engineer Woodroof stated no. Alderman Curtsinger asked if the vacuum would be in the rear. Engineer Woodroof stated that this would allow them to have one, but does not have to have a bay. Alderman Dugger asked if we are limiting their hours. Engineer Woodroof stated that it would be closed from 10:00 p.m. to 6:00 a.m. Mayor Knapper stated that Brentwood closes as night. Counsel Notestine stated that in recent years this seems to be the trend. Mayor Knapper made a motion to approve this on first reading, Alderman Dugger seconded and this passed unanimously.

Reading of Resolution #05-06, a resolution to request dedicating a portion of Nolensville

Road in honor of Alderman Joe Rositano. Alderman Felts described this resolution noting everyone knew Joe and one of the last things that he said was take care of the town. Alderman Curtsinger asked that if this were passed, would it include the new section of Nolensville Road. It was stated that it would not. Mayor Knapper noted that several people had contacted him and said there are other pioneers within Nolensville. Alderman Dugger asked if it should be from City limit to City limit. Alderman Felts said that was the intent. Alderman Felts made a motion to approve this resolution, Alderman Dugger seconded and this was approved unanimously.

Mayor Knapper adjourned the meeting at 8:37 p.m.

Respectfully submitted,

Approved,

Cindy Lancaster
Town Recorder

Charles F. Knapper
Mayor